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PATENT

Date December 24, 1998

Docket No. 6029-7976

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this December 24, 1998 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL117316863US addressed to: Box Patent Application, Assistant Commissioner of Patents, Washington, D.C. 20231.

Michelle Ludwig  
(Type name of person mailing paper)

Michelle Ludwig  
(Signature of person mailing paper)

NOTE: Each paper or fee referred to as enclosed herein has the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 CFR 1.10(b).

Box Patent Application  
Assistant Commissioner of Patents  
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Eugene M. Johnson, Jr., Jeffrey D. Milbrandt, Paul T. Kotzbauer, Patricia A. Lampe, Robert Klein and Fred DeSavage

For: Persephin and Related Growth Factors

Enclosed are:

1. Benefit of Prior U.S. Application (35 USC 120)

X The new application being transmitted claims the benefit of a prior U.S. application and enclosed is added page for new application transmittal where benefit of a prior U.S. application claimed.

2. The Papers Required For Filing Under 37 CFR 1.53:

211 Pages of Specification  
1 Pages of Abstract  
5 Pages of Claims  
31 Sheets of Drawing

X formal      informal

In addition to the above papers there is also attached:

     Pages of an Amendment  
X Return Receipt Postcard  
     Information Disclosure Statement with      copies of references  
X Request for use of Previously filed Sequence Information in Related Application

3. Declaration or oath

- ☒ Enclosed 8 pages  
\_\_\_\_ Newly executed (original or copy)  
☒ Copy from a prior application (continuation/divisional with page 5 of 5 completed)  
\_\_\_\_ Deletion of Inventor(s) (signed statement attached deleting inventor(s) of prior application)  
\_\_\_\_ Not enclosed

4. Inventorship Statement

The inventorship for all the claims in this application are:

☒ the same

OR

\_\_\_\_ are not the same and an explanation, including the ownership of the various claims at the time the last claimed invention was made, is submitted.

5. Language

☒ English ☐ Non-English

A verified English translation of the

[check applicable item(s)]

\_\_\_\_ specification and claims

\_\_\_\_ declaration

is attached.

6. Assignment

☒ An assignment of the invention to Washington University

\_\_\_\_ is filed under separate cover sheet

☒ was filed in the prior application

\_\_\_\_ will follow

7. Certified Copy

(Country) \_\_\_\_\_ (Application No.) \_\_\_\_\_ (Filed) \_\_\_\_\_  
from which priority is claimed

\_\_\_\_ is attached

\_\_\_\_ will follow

# 8. Fee Calculation

## CLAIMS AS FILED

	Number Filed	Provided with Basic Fee	Number Extra	Rate	Basic Fee \$760
Total Claims	10	20	0	X \$18.00	\$ .00
Independent Claims	2	3	0	X \$78.00	\$ .00
Multiple Dependent Claim(s), if any	0	0	0	X \$260.00	\$ .00

X Amend application by canceling claims 2 through 10 and 21 through 25 before calculating the filing fee 9 17 35 P.126

     Amendment deleting multiple dependencies enclosed

     Fee for extra claims is not being paid at this time

Filing Fee Calculation

\$ 760.00

# 9. Small Entity Statement

     verified statement that this is a filing by a small entity under 37 CFR 1.9 and 1.27 is attached.

Filing Fee Calculation (50% of above)

# 10. Fee Payment Being Made At This Time

X Enclosed

X basic filing fee

\$ \$760.00

Total fees enclosed

\$ 760.00

# 11. Method of Payment of Fees

X check in the amount of \$ 760.00

**12. Authorization to Charge Additional Fees**

X The Commissioner is hereby authorized to charge the following additional fees which may be required to Account No. 18-1829;

X 37 CFR 1.16 (filing fees and presentation of extra claims)

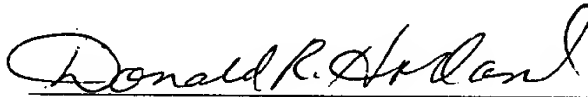
X 37 CFR 1.17 (application processing fees)

    37 CFR 1.18 (issue fee at or before Mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b)).

**13. Instructions As To Overpayment**

X credit Account No. 18-1829

**14. Correspondence Address**



Donald R. Holland  
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HOWELL & HAUSERKAMP, L.C.  
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Suite 1400  
St. Louis, Missouri 63105  
(314) 727-5188

09220647-122498

ADDED PAGE FOR NEW APPLICATION WHERE BENEFIT  
OF A PRIOR U.S. APPLICATION CLAIMED

15. Benefits of Prior U.S. Application

This application is a

- ☐ continuation  
☐ continuation-in-part  
☒ divisional

of prior U.S. application Serial No. 08/931,858 filed September 16, 1997

International Application ☐ filed

- ☒ Incorporation by Reference

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under item 3., is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

16. Maintenance of Copendency of Prior Application

- ☐ A petition, fee and response has been filed to extend the term in the pending prior application until

17. Conditional Petition for Extension of Time in Parent Application

- ☐ A conditional petition for extension of time is being filed in the pending parent application.

18. Relate Back -- 35 U.S.C. 120

- ☒ Amend the specification by inserting before the first line the sentence:

This is a

- ☐ continuation  
☐ continuation-in-part  
☒ divisional  
☐ provisional

of copending application

- ☒ Serial number 08/931,858; filed on September 16, 1997  
☐ PCT International Application ☐; filed on

19. Abandonment of Prior Application (if applicable)

- ☐ Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time in that application is granted and when this application is granted a filing date so as to make this application copending with said prior application.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

St. Louis, Missouri  
December 24, 1998

CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed therein are being deposited with the United States Postal Service on December 24, 1998 in an envelope as 'Express Mail Post Office To Addressee' Mailing Label Number EL117316863US addressed to: BOX PATENT APPLICATION, Assistant Commissioner for Patents, Washington, D.C. 20231.

Michelle Ludwig  
Type or Print Name

*Michelle Ludwig*  
Signature

In re application of:  
Johnson et al.

Serial No.: Unknown

Examiner Unknown

Filed: December 24, 1998

Group Art Unit Unknown

For: Persephin and Related Growth Factors

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

REQUEST FOR USE OF PREVIOUSLY FILED SEQUENCE

INFORMATION IN RELATED APPLICATION

It is hereby noted the sequence information in the present application is exactly the same, with no additions or deletions, as that of Applicants' previously filed and currently copending Application Ser. No. 08/931,858 filed on September 16, 1997 (hereinafter, "Prior Application"), of which this application is a divisional. In accordance with 37 C.F.R. § 1.821(e) and M.P.E.P. § 2422.05, Applicants hereby reference said Prior Application and the machine-readable sequence information filed therewith, and, in lieu of filing a duplicate computer readable form in the present application, Applicants request that the Office use the sequence information contained in the computer readable form filed in the Prior Application.



In accordance with 37 C.F.R. §1.821(f), the undersigned attorney states that the content of the paper copy of the sequence list filed herewith and the computer readable form filed on September 16, 1997 in the Prior Application are the same.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Donald R. Holland".

Donald R. Holland

Reg. No. 35,197

Howell & Haferkamp, L.C.

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